August 14, 2019

"3 dB COMPROMISE" FACT SHEET

Amendment of Part 73 of the Commission's Rules Regarding Creation of a FM C4 Station Class

MB Docket No. 18-184

A Proposed 3 dB Buffer Compromise Related to 73.215 Revisions Within the MB 18-184 Proceeding

Background: On June 4, 2018, the Commission established a Notice of Inquiry to seek comment on a proposal that would allow Zone II FM Class A radio stations an opportunity to upgrade in power from 6,000 Watts to 12,000 Watts to a newly-designated FM Class C4 allotment type. The Notice of Inquiry also asked under what conditions an underbuilt 73.207-licensed station could be reclassified as a 73.215 facility. During the window, over one hundred broadcast groups and licensees expressed full support of the proposal. Although the National Association of Broadcasters did not support the new allotment type, Educational Media Foundation, iHeart Media, and Low Power FM advocacy group REC Networks did not oppose the creation of a FM C4 classification.

The comments that focused upon the Section 73.215 aspect of the MB 18-184 proceeding were largely favorable, but not uniformly so. In general, some operators with a station licensed under Section 73.207 contended that their facilities could be hemmed in from future tower moves or service area modifications if a neighboring station were allowed to treat its license as a Section 73.215 authorization. In order to allay those concerns, the original petitioner in the MB 18-184 is proposing a 3 dB "buffer zone" compromise that would eliminate virtually all potential situations in which an affected underbuilt Section 73.207 station would be hemmed in or unable to make a future service area modification.

What the *3dB Buffer Zone Compromise* Would Do:

- Require an added 3 dB buffer protection contour for any station that seeks to treat a neighboring underbuilt (for at least ten years) Section 73.207 station as a Section 73.215 authorization.
- Eliminate almost all scenarios in which an affected reclassified Section 73.215 facility could be hemmed in and blocked from making future service improvements or tower relocations.
- Disincentivize the Section 73.215 conference procedure for stations seeking such towards neighboring underbuilt Section 73.207 facilities in almost all cases, except for those involving Section 73.207 stations that are the most decidedly underbuilt with respect to their class.
- Indirectly prevent almost any scenario in which a secondary service could be affected by the Section 73.215 conference procedure.

Implementation: A licensee seeking to treat a neighboring Section 73.207 station as a Section 73.215 facility would be required to add 3 dB to the interfering contour of the actual facilities of the affected station prior to proposing an upgrade or service modification. In the example in the pages that follow, station WYAB 103.9 FM is on a first-adjacent frequency to underbuilt Section 73.207 station WFFX 103.7 FM. If WFFX were an existing 73.215-licensed facility, then WYAB would be able specify a F(50,50) 60 dBu primary service area that does not intersect with the F(50,10) 54 dBu interfering contour of WFFX. If, however, WYAB wishes to treat underbuilt Section 73.207-licensed WFFX as a Section 73.215 facility, then it would have to ensure that its F(50,50) 60 dBu primary service area does not intersect with the F(50,10) **51 dBu** interfering contour of WFFX. In this scenario, an added 3 dB protection creates an effective *11.844 kilometer contour buffer zone* towards WFFX, providing the WFFX license an opportunity to make a significant future tower relocation or antenna height increase if there is a desire to do so.

EXHIBIT: 3 DB BUFFER ZONE COMPROMISE SCENARIO: WYAB 103.9 FM / WFFX 103.7 FM

SCENARIO 1: WYAB AS A FULL CLASS C4, WFFX AS FULL CLASS C0

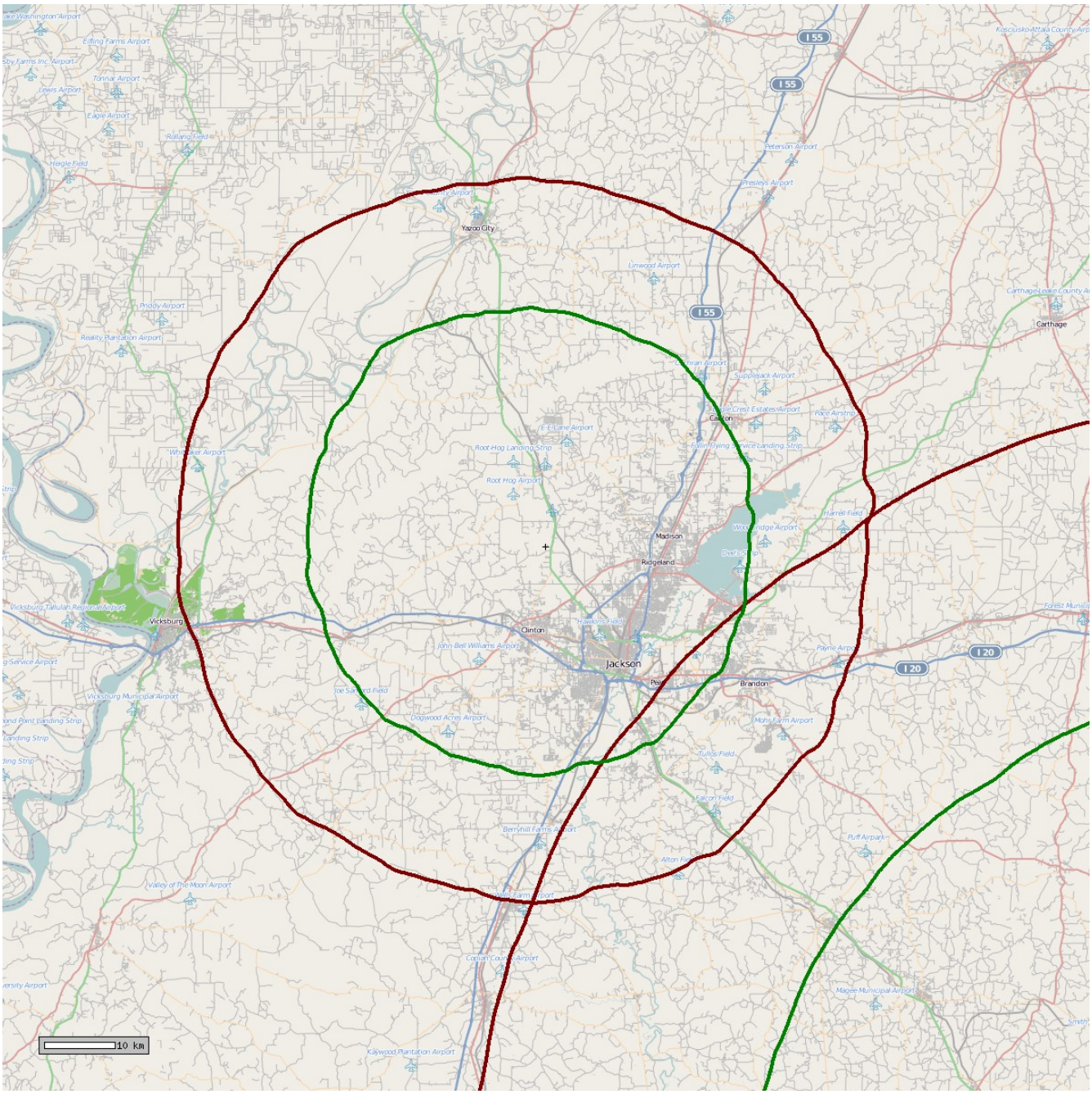

FIGURE 1: The above map depicts the F(50,50) 60 dBu primary service contour (green, center) of station WYAB 103.9 FM as if it were a proposed 12 kW FM Class C4 facility, versus the F(50,10) 54 dBu interfering contour (dark red, bottom right) of hypothetical maximum antenna height and power level for FM Class C0 station WFFX 103.7 FM. Although WFFX's actual facilities are (and have been for many decades) significantly underbuilt with respect to that of a full FM Class C0 license, WYAB would need protect its own primary service contour as if WFFX were operating as a full FM Class C0 authorization. Thus, the proposed facility as it is outlined herein would be unacceptable for filing.

EXHIBIT: 3 DB BUFFER ZONE COMPROMISE SCENARIO: WYAB 103.9 FM / WFFX 103.7 FM

SCENARIO 2: WYAB AS A FULL CLASS C4, WFFX 73.215-ACTUAL FACILITIES, NO BUFFER

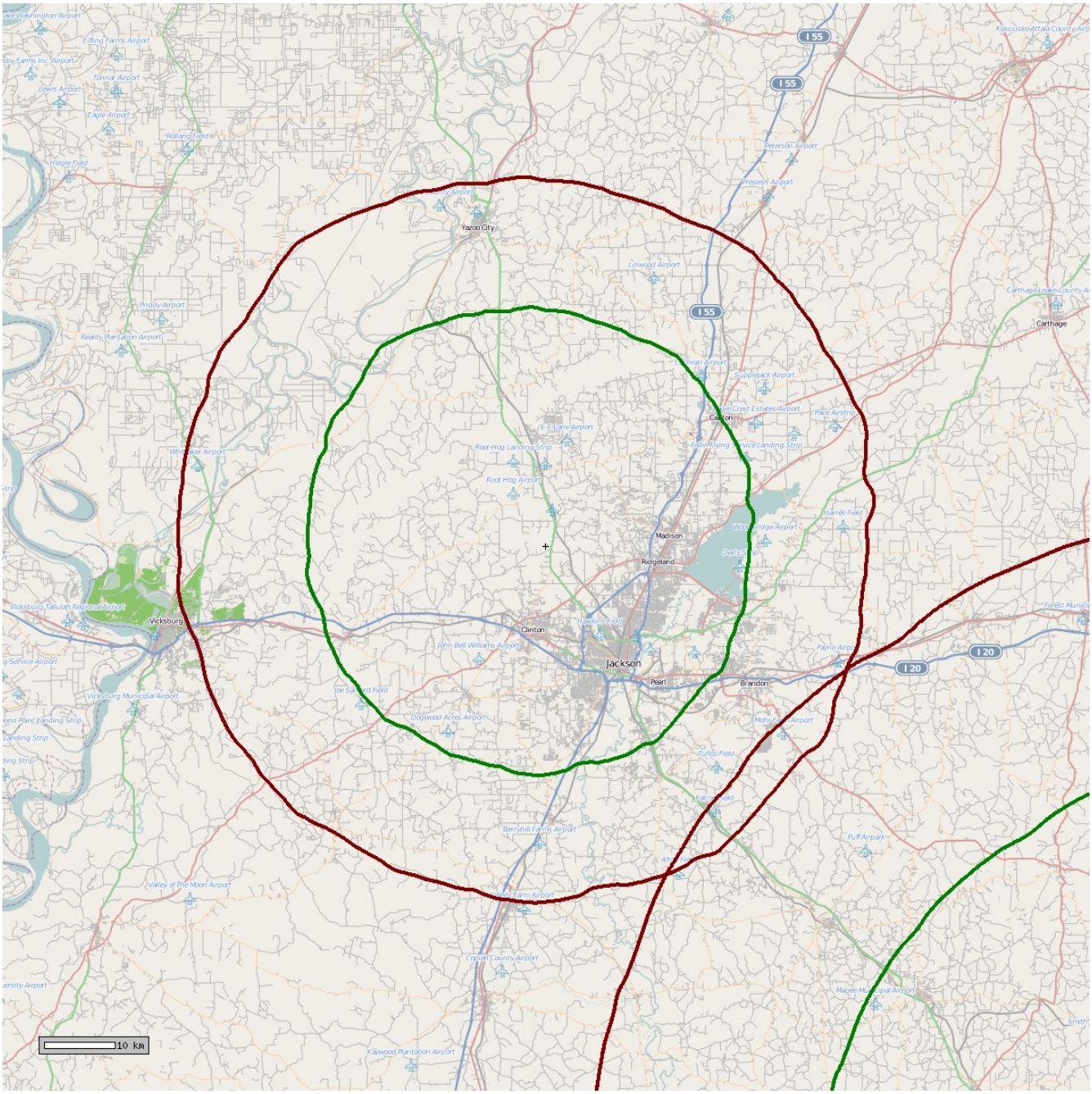

FIGURE 2: The above map depicts the F(50,50) 60 dBu primary service contour (green, center) of station WYAB 103.9 FM as if it were a proposed 12 kW FM Class C4 facility, versus the F(50,10) 54 dBu interfering contour (dark red, bottom right) of the actual antenna height and power level for FM Class C0 station WFFX 103.7 FM. The actual interfering contour of WFFX falls well short of the primary service contour for WYAB.

EXHIBIT: 3 DB BUFFER ZONE COMPROMISE SCENARIO: WYAB 103.9 FM / WFFX 103.7 FM

SCENARIO 3: WYAB AS A FULL CLASS C4, WFFX 73.215-ACTUAL FACILITIES, WITH BUFFER

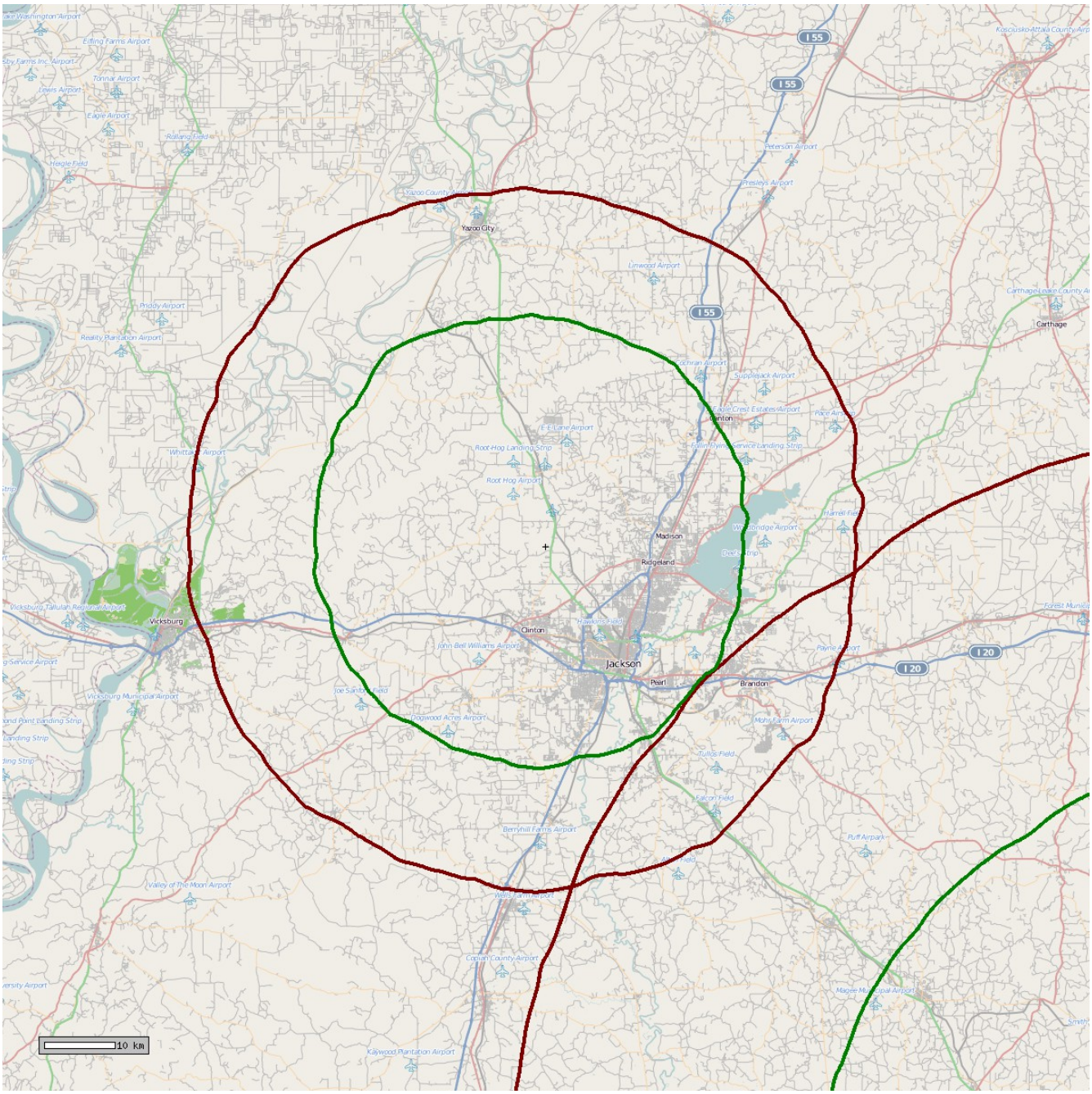

FIGURE 3: The above map depicts the F(50,50) 60 dBu primary service contour (green, center) of station WYAB 103.9 FM as if it were a proposed 12 kW FM Class C4 facility, versus the F(50,10) ***51 dBu*** interfering contour (dark red, bottom right) of the actual antenna height and power level for FM Class C0 station WFFX 103.7 FM. The actual interfering contour of WFFX, even with the additional 3 dB buffer zone, falls short of the proposed primary service contour for WYAB. In effect, an 11.844 kilometer buffer zone is created between WYAB and WFFX by the imposition of an added 3 dB to the WFFX interfering contour, which would allow WFFX to undertake a future tower relocation or significant antenna height increase in the future.